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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/818,800

03/27/2001

Ronald P. Sansone

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11/16/2006

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EXAMINER

BORISSOV, IGOR N

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,800

Applicant(s)

SANSONE, RONALD P.

Examiner

Igor Borissov

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

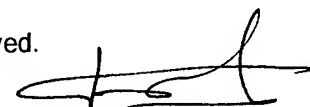
Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


IGOR N. BORISSOV
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Art Unit: 3628

DETAILED ACTION

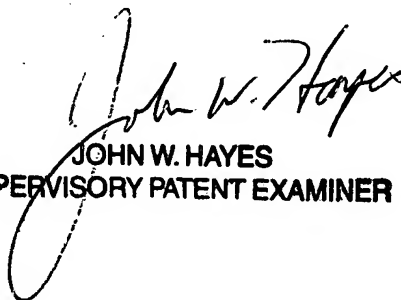
In view of the Appeal Brief filed on 01/20/2006 PROSECUTION IS HEREBY REOPENED, as set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


JOHN W. HAYES
SUPERVISORY PATENT EXAMINER

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8, 14-16, 18, 20, 21, 24-26 and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuebert et al. (US 2002/0165729).

Claim 1. Kuebert et al. (Kuebert) teaches a method utilizing a computer system that enables a recipient to inform a carrier of the manner in which the recipient would like the mail delivered, comprising:

depositing with the carrier mail containing the recipient's name and physical address and the sender's name and address [0039];

placing a unique number on the mail (automatic identification tag) [0021]; [0023];

capturing by electronic and optical means the name, physical address of the recipient and the sender, and the unique number [0021] - [0023]; [0031]; [0032];

translating the name and physical address of the recipient into an e-mail address by checking a postal address database and the recipient's e-mail database [0022]; [0029];

notifying the recipient electronically by the carrier of the availability of the deposited mail by the unique number assigned to the mail [0036];

notifying the carrier electronically by the recipient of the manner in which the recipient would like the mail delivered [0043];

delivering mail to the recipient by the carrier in the manner specified by the recipient to the carrier [0048].

Claim 2. Said method, wherein the unique number is placed on the mail by a postage meter before the mail is delivered to the carrier [0021].

Claim 3. Said method, wherein the unique number is placed on the mail by a postage meter while the mail is delivered to the carrier [0021].

Claim 4. Said method, wherein the unique number is placed on a carrier label before the mail is delivered to the carrier [0021].

Claim 5. Said method, wherein the unique number is placed on a carrier label (tag) while the mail is delivered to the carrier [0021].

Claim 6. Said method, wherein the unique number is preprinted (bar-code) on a carrier label [0021].

Claim 7. Said method, wherein the recipient notifies the carrier to deliver the mail to a specified name and address [0009]; [0043].

Claim 8. Said method, wherein the recipient notifies the carrier to return the mail to the sender [0009]; [0043]. Examiner broadly understands the phrase "specified name and address" as being any address, including the address of the sender.

Claim 14. Said method, wherein the recipient notifies the carrier to deliver the mail to the recipient at a different (specific) address [0009]; [0043].

Claim 15. Said method, wherein the recipient notifies the carrier to deliver the mail to the recipient by a slower delivery method than that paid for by the sender (the recipient notifies the carrier to hold the mail for a specified period of time) [0043].

Claim 16. Said method, wherein the recipient notifies the carrier to deliver the mail to the recipient by a faster delivery method than that paid for by the sender (notifying the carrier by the recipient to change the delivery time) [0043]. Examiner broadly understands the phrase "change the delivery time" as choosing any possible date, including the date which is prior the date that paid for by the sender.

Claim 18. Said method, further including the step of:
charging the recipient for delivering mail to the recipient in the manner specified by the recipient to the carrier

Claim 20. Said method, further including the step of:

Art Unit: 3628

informing the sender of the delivery of the mail [0042].

Claim 21. Said method, wherein the recipient notifies the carrier to hold the mail for a specified period of time [0043].

Claim 24. Said method, wherein the recipient is notified via e-mail of the availability of the deposited mail [0036].

Claim 25. Said method, wherein the recipient is notified via telephone of the availability of the deposited mail [0036].

Claim 26. Said method, wherein the recipient is notified via facsimile of the availability of the deposited mail [0036].

Claim 28. Said method, wherein the carrier is notified via e-mail of the manner in which the recipient would like the mail delivered [0036].

Claim 29. Said method, wherein the carrier is notified via facsimile of the manner in which the recipient would like the mail delivered [0036].

Claim 30. Said method, wherein the carrier is notified via telephone of the manner in which the recipient would like the mail delivered [0036].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9-13, 18 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of Srinivasan (US 6,072,862).

Claim 9. Kuebert teaches all the limitations of claim 9, except specifically teaching that the recipient notifies the carrier to open the mail.

Srinivasan teaches a method and system for adaptable message delivery, wherein the recipient can select the preferred way of getting the mail; said method

Art Unit: 3628

includes informing the carrier to e-mail or send by facsimile the contents of the mail piece to one or more specified e-mail addresses (column 2, lines 37-58; column 3, lines 4 – column 4, line 7), thereby indicating instructing the carrier to open the mail for obtaining the contents. The motivation to combine Kuebert et al. and Srinivasan would be to advantageously allow the recipient to access all his messages via one message accessing means regardless the form said messages were sent to, as specifically stated in Srinivasan (column 4, lines 56-65).

Claims 10-13. See reasoning applied to claim 9.

Claim 18. Srinivasan teaches said method, wherein the term "subscriber" suggests charging the recipient for services rendered (delivering mail to the recipient) (column 2, lines 37-58). The motivation to combine the references would be allow to generate funds for business to operate.

Claim 31. Srinivasan teaches said method, wherein the recipient notifies a data center who notifies the carrier of the manner in which the recipient would like the mail delivered (column 2, lines 37-58; column 3, lines 4 – column 4, line 7). The motivation to combine Kuebert et al. and Lynt et al. with Srinivasan would be to advantageously allow the recipient to manage the delivery of all his messages via one message accessing means regardless the form said messages were sent to.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of Sherwood et al. (US 6,542,584).

Claim 17. Kuebert teaches all the limitations of claim 17, except: charging the recipient for receiving notification of the availability of the deposited mail.

Sherwood et al. teaches a method and system for automatic voice mail redirection, wherein a recipient is charged a fee for receiving a notification that a voice mail message is left for the recipient (column 1, lines 10-24).

Art Unit: 3628

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. to include charging the recipient for receiving notification of the availability of the deposited mail, as disclosed in Sherwood, because it would generate funds for a business to operate.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of Sherwood et al. and further in view of Srinivasan.

Claim 19. Kuebert teaches all the limitations of claim 19, except:

charging the recipient for receiving notification of the availability of the deposited mail; and

charging the recipient for delivering mail to the recipient in the manner specified by the recipient to the carrier.

Sherwood et al. teaches said method and system for automatic voice mail redirection, wherein a recipient is charged a fee for receiving a notification that a voice mail message is left for the recipient (column 1, lines 10-24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. to include charging the recipient for receiving notification of the availability of the deposited mail, as disclosed in Sherwood, because it would generate funds for a business to operate.

Srinivasan teaches said method, wherein the term "subscriber" suggests charging the recipient for services rendered (delivering mail to the recipient) (column 2, lines 37-58).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. and Sherwood et al. to include charging the recipient for delivering mail to the recipient in the manner specified by the recipient to the carrier, as suggested in Srinivasan, because it would advantageously allow to generate funds for business to operate.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of McKeen, Jr. (US 4,037,956).

Claim 22. Kuebert et al. teaches all the limitations of claim 22, except that the recipient notifies the carrier to destroy the mail.

McKeen, Jr. teaches a method and apparatus for verified mail system, wherein the verified content of the recipient mail is destroyed if the recipient does not want to keep it stored (column 2, lines 28-35).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. to include that the recipient notifies the carrier to destroy the mail as disclosed in McKeen, Jr., because it would advantageously decrease the expenses for handling mail for the post office.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of Gordon et al. (US 6,289,323).

Claim 23. Kuebert et al. teaches all the limitations of claim 23, except that the recipient notifies the carrier to recycle the material comprising the mail.

Gordon et al. teach a method and system for a mail delivery including sending the contents of the mail piece to one or more specified e-mail addresses, wherein the mail piece (a postcard) is recycled (column 15, lines 63-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. to include that the recipient notifies the carrier to recycle the material comprising the mail as disclosed in Gordon, because it would advantageously decrease the expenses for handling mail for the post office, and allow to save natural resources.

Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kuebert et al. in view of Busch et al. (US 6,390,921).

Art Unit: 3628

Claim 27. Kuebert et al. teaches all the limitations of claim 27, except that the recipient is notified via television of the availability of the deposited mail.

Busch et al. teach a method and system for sharing information in a network environment, wherein a user can receive a message via e-mail, or Web-TV, or telephone, or regular mail delivery (column 4, lines 38-44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kuebert et al. to include that the recipient is notified via television as disclosed in Busch et al., because it would advantageously allow to combine the notification service with other TV or WEB related programs, thereby make it more attractive to the customers.

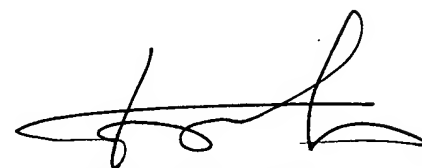
Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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11/12/2006



IGOR N. BORISSOV
PRIMARY EXAMINER